

COURT CHARACTERISTICS



TRIAL COURT (SUPERIOR COURT OF CALIFORNIA)

- ONE JUDGE CONDUCTS THE TRIAL.
- JURY OR A SINGLE JUDGE DECIDES THE CASE.
- LAWYERS PRESENT EVIDENCE.
- WITNESSES SWEAR TO TELL THE TRUTH AND ANSWER QUESTIONS FROM LAWYERS.
- FIRST COURT TO DECIDE WHO SHOULD WIN IN A DISPUTE.
- FIRST COURT TO DECIDE WHETHER OR NOT THE DEFENDANT IS GUILTY.

APPEALS COURT (CALIFORNIA COURTS OF APPEAL)

- A LOSING PARTY FROM THE TRIAL COURT MAY FILE AN APPEAL TO AN APPEALS COURT.
- IN A CIVIL CASE, EITHER PARTY MAKE APPEAL TO A HIGHER COURT.
- IN A CRIMINAL CASE, ONLY THE DEFENDANT MAY APPEAL TO A HIGHER COURT.
- THE PANEL OF THREE JUSTICES HEARS A CASE THAT HAS BEEN DECIDED IN A LOWER COURT.
- THE JUSTICES DO NOT HEAR TESTIMONY BUT BASE THEIR DECISION BASED ON THE RECORD (CASE INFORMATION) FROM THE TRIAL, REASON FOR THE APPEAL AND ORAL ARGUMENTS BY THE ATTORNEYS.
- THE PANEL OF THREE JUSTICES GIVES ITS DECISION IN A WRITTEN OPINION.
- THE DECISION OF THE APPEALS COURT MUST BE FOLLOWED BY ALL TRIAL COURTS THAT ARE UNDER THEM